

Exhibit 2

Declaration of William G. Peterson

Pursuant to 28 U.S.C. § 1746, I, William G. Peterson, hereby declare as follows:

1. I am over the age of 21, and am an attorney, recently retired, but still licensed to practice in the State of Utah. I began my legal career shortly after graduating from law school in 1993, and have practiced in, and am a member of the bars of, the states of California, New York and Utah. Except where the context suggests to the contrary, I have personal knowledge of the facts stated herein.

2. Prior to my retirement, I had an “of counsel” relationship with the Skousen Law Firm, LLP (the “Skousen Firm”). In the course of my working relationship with the Skousen Firm I had the opportunity to interact on a limited basis with Rick Koerber. Mr. Koerber performed a number of tasks in support of cases I worked on.

3. Specifically, I recall reviewing and editing a draft of a substantial complaint that Mr. Koerber prepared for a case that was filed in Utah State Court. I also recall reviewing and editing portions of at least one, and possibly two, legal briefs or major portions of briefs, prepared by Mr. Koerber.

4. In one case, Mr. Koerber attended a client meeting with me and attorney Russell Skousen. Mr. Koerber participated in the client interview, and also in a post-interview strategy conference with me and attorney Skousen.

5. I also recall giving legal research assignments to Mr. Koerber in several different cases. The work product prepared by Mr. Koerber consisted of research memos, draft arguments, or cases citations and summaries, depending upon the need in the particular case.

6. It is my opinion that Mr. Koerber's legal research and writing skills and his legal reasoning are significantly advanced for a non-attorney. I am not qualified to state how long Mr. Koerber has worked at honing his skills as a legal researcher and writer. However, based upon my interactions with Mr. Koerber, and my review of his work product, I consider his research, analysis and written work to be better than any paralegal, any law student, and several of the attorneys that I have worked with during my career.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 27, 2019.

/s/ William G. Peterson

William G. Peterson

Declaration of Bret Whipple

I, Bret Whipple, declare as follows:

1. I have been a licensed attorney in the States of Nevada and Arizona since 1996. I have personally represented clients in 90 trials. In approximately 2016-2017, I was retained to represent Mr. Cliven Bundy in the case brought against him and his co-defendants by federal prosecutors.

2. In my work for Mr. Bundy, I met Rick Koerber, who at that time was a paralegal for Morgan Philpot but also performed work for the other defense teams involved. With the exception of maybe one or two meetings, I observed how Mr. Koerber attended every defense meeting with the legal teams of other defendants charged in the case. I would estimate that I spent hundreds of hours in that case either consulting with Mr. Koerber or reviewing Mr. Koerber's work product. Mr. Koerber brought a depth of factual and legal knowledge to the case that was instrumental in the result that we obtained in getting the case dismissed with prejudice on behalf of our clients.

3. In the time I spent with Mr. Koerber, I came to appreciate not only his prior experience obtained from assisting the legal teams involved in the related federal prosecution in Oregon – which resulted in a not guilty verdict – but also for the care he took in understanding the facts of a given case, analyzing the legal arguments raised by those facts, and in presenting both in various motions to be filed with the court on a time-limited basis. Over time, it became very clear not only that Mr. Koerber cared for clients and the lawyers who represented them, but also the care and respect that he had for the law itself. Mr. Koerber made a valuable contribution

to the presentation of our case, and enabled not only me but all of the other legal teams involved the ability to present a solid and genuine case on behalf of our clients.

4. I was well-aware before working with Mr. Koerber of the personal legal issues he faced in Utah and how a party opposed to my client might try and gain an unfair advantage by disparaging me and my client for our association with him. But, increasingly, I came to make an independent assessment of Mr. Koerber's abilities and character. I regard him as one of the most intelligent and honest persons with whom I've been associated. And I have personally offered Mr. Koerber a job working for my law firm any time he is interested. That offer still stands.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 27, 2019.

/s/ Bret Whipple

Declaration of Mike Arnold

I, Mike Arnold, declare as follows based on information and belief:

1. Until fairly recently when I voluntarily retired my law license in 2017 to pursue startup ventures, I was a licensed attorney in the state of Oregon, where I represented a number of clients in often what passed as high-profile matters for over 15 years in state and federal court. I am experienced in jury trials and complex criminal and civil litigation involving multiple parties and witnesses, voluminous discovery, expert witnesses, and high stakes.

I attended college at Truman State University in Kirksville, Missouri, where I ultimately graduated *summa cum laude*.

After graduating from Truman State in December of 1997, I moved to Eugene to attend law school at the University of Oregon where I was honored with a prestigious Wayne Morse Fellowship.

After graduating from law school in 2001, I worked at a litigation firm representing clients in personal injury jury trials and defending clients accused of crimes. In 2002, I joined my then-wife Jacy Arnold at Arnold Law Office, where I initially focused on personal injury litigation and prosecution for the city of Eugene.

I have tried jury trials around the state of Oregon. In the civil context, I have successfully resolved cases in Federal and state courts, including jury trials in Federal Court in Eugene and in state court in Lane, Marion, Linn, Lincoln, and Josephine Counties. I have also successfully litigated business, personal injury and employment cases before juries.

In the criminal context, I have won dismissals for clients in federal court in Eugene and Spokane, Washington, and in state and municipal courts in many counties and towns, including

Jackson County, Douglas County, Deschutes, Lane, Lincoln, Eugene, Cottage Grove, Springfield, etc.

2. In 2016, I was retained to represent Ammon Bundy in the federal government's prosecution of him and other protestors involved in the occupation of the Malheur Wildlife Refuge in January 2016. In that capacity, I came to work with an individual by the name of Rick Koerber. I understand that Mr. Koerber would eventually come to be a court-approved paralegal and investigator for Ryan Bundy's defense team as well.

3. In the time that I represented Ammon Bundy, from January 26, 2016, to approximately June 2016, I spent hundreds of hours working on the case and worked very closely with Mr. Koerber on pretrial, detention and strategic matters to prepare the case for trial. I came to appreciate how Mr. Koerber had an uncommon ability to synthesize and organize the facts of a case, conduct the necessary legal research, and draft the necessary work product to file motions and prepare for trial in a case as time-intensive and complex as the Bundy case was. He was putting out associate attorney level research and drafting projects. I can say without reservation that Mr. Koerber is one of the more strategic and intellectually brilliant people I've ever met, especially in terms of legal researchers and writing. Over time, I gained an increased trust and reliance on Mr. Koerber's work product as the backbone of my firm's work on the case.

4. In my work on the case, I also observed how Mr. Koerber would work with other defense teams, where he was indefatigable in his interactions with others, even those who might express a disagreement or concern about a point of fact or law he was raising, and how Mr. Koerber would always address the issue raised by marshalling the facts and authorities to support his position including conflicting/adverse authority. This was especially important in the Oregon protest case as there was a very volatile mix of personalities and goals of the defendants. In his

work, I observed how Mr. Koerber would routinely and openly acknowledge any possible fact or legal authority that might be construed as going against the position he was advocating for.

Whenever someone would challenge Rick's thinking or work product contributions, I observed how respectful and patient Mr. Koerber would be to understand the concern being raised so that he could weigh it against his understanding of the facts and law on the case, and how he would either come up with a way to address the matter raised, or share his thinking about why the concern raised was unwarranted. The case was complex and time-intensive, where most of the defendants subject to the indictment in question were incarcerated, making communications difficult, where there were a number of moving parts in terms of the facts that were coming to light, and where there were questions being raised by the defendants and their individual defense teams on a daily basis about the strategic direction that each defendant should or may take in preparing the case for trial. In all of that, I observed how Mr. Koerber would take the time to address all of the various concerns raised, whether those were fact-based inquiries or questions of legal authority or strategy. Simply, Mr. Koerber was glue who helped hold the various defense teams together in a difficult time, and under some of the most challenging circumstances I've ever encountered.

5. Through all of that, I observed and came to appreciate the integrity and work ethic Mr. Koerber demonstrated. The fact of the personal legal issues that Mr. Koerber was facing in Utah was no secret. The fact of the federal case pending against Mr. Koerber was openly acknowledged and shared among all of the defense teams involved in the case. I personally observed not only how Mr. Koerber would openly acknowledge his own legal issues with others involved in the case, but how he would also explain how just the fact of those legal issues caused him to perform his case assignments as if he was going to be held to a standard that was higher

than other lawyers and the paralegals and investigators involved in the case. This also caused him to be very empathetic with the other defendants in a way that a lawyer could not, especially given the unique viewpoints and personalities of most of the litigants. It was very fascinating to watch and hear about.

6. In support of this document, I have gathered a sampling of the legal work that Mr. Koerber and my firm worked on together, including a number of motions that were filed in the Bundy case. In the time I worked on the case, I would say that Mr. Koerber was responsible for most of the motions filed by the defendants, although I no longer have access to the specific records regarding time devoted to various projects. While the motions attached would have been reviewed by me and my associate before being filed, I would estimate that Mr. Koerber personally did well over a majority % of the research and legal writing involved, demonstrating the trust and confidence that I came to have in the quality and integrity demonstrated by Mr. Koerber in his work on the case.

I declare under penalty of perjury that the foregoing is true and correct based on information and belief. Executed on June 27, 2019.




Mike Arnold

DECLARATION OF MAYSOUN A. FLETCHER, ESQ.

1. I am a licensed attorney in good standing in the States of California and Nevada. If asked, I could and would truthfully and competently testify to the following facts and the same is true of my personal knowledge.
2. I met Rick Koerber around November, 2017 while I was working on *United States vs. Cliven Bundy, et al.* in the United States District Court for the District of Nevada. Mr. Koerber was working as a private paralegal assisting attorney Morgan Philpot in the trial. I spent several weeks working closely with Mr. Koerber and the defense team for all of the co-defendants being tried jointly. Mr. Koerber was truly a valuable asset in the joint defense meetings, providing thoughtful legal and factual analysis and input. He carried himself with integrity and pride for the United States Constitution and the practice of law.
3. In 2018, I contracted Mr. Koerber to assist me with legal research and brief writing on a few of my federal criminal cases. His work was thorough, well researched, thoughtfully analyzed and beneficial to me. I would love to continue to work with Mr. Koerber.
4. In my opinion, Mr. Koerber's detention is tragic. He has a great legal mind and is an asset to my practice and the legal community. In my experience with him, he exhibited tremendous respect for the United States Court and was a true defender of the United States Constitution. I implore the Court to release him.
5. If I can be of any further assistance to the Court related to Mr. Koerber, please do not hesitate to contact me at (702) 835-1542.

I swear that the foregoing is true and correct under the penalty of perjury.

Dated this 19th day of June, 2019.



Maysoun Fletcher, Esq.

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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,
Plaintiff,

Case No. 2:17-CR-00037

vs.

**DECLARATION OF
MATTHEW SCHINDLER
REGARDING CLAUD
KOERBER**

CLAUD R. KOERBER,
Defendant.

The undersigned does swear under penalty of perjury that the following is true:

1. In 1991, I graduated with honors from the University of California Los Angeles with Bachelor of Arts degrees in History and Art History. In 1995, I graduated from the Northwestern School of Law at Lewis and Clark College in Portland, Oregon. I have been a member in good standing of the Oregon State Bar since 1996. I was admitted to practice before the United States District Court for the District of Oregon in 1998. I was selected to be a member of the Criminal Justice Act panel for the District of Oregon that same year. In 1999, I was admitted to practice before the Ninth Circuit Court of Appeals. I have been a sole

- practitioner focused entirely on criminal defense in federal Court since 1998.
2. During more than 20 years of practice in federal Court I have handled more than 225 criminal cases. The vast majority of those have been complex, multi-defendant cases. In that time, I have tried eleven complex criminal cases in the District of Oregon during my career including five multi-week trials in the last ten years.
 3. On February 5, 2016, I was appointed by the United States District Court for the District of Oregon to provide standby counsel to Kenneth Medenbach under the Criminal Justice Act. Mr. Medenbach was charged along with 25 codefendants in *United States v. Ammon Bundy et al* Case No. 3:16-CR-00051-BR for conspiring to impede various government employees in the course of their official duties by threat, force, or intimidation. I came to know Mr. Koerber when he was assisting attorney Marcus Mumford representing Ammon Bundy during this trial.
 4. I first met Mr. Koerber during pretrial proceedings and then spoke with him frequently during a more than month-long federal trial. I understood him to be a legal assistant without formal training who was a former client of Mr. Mumford's. I knew that he had been charged with

various crimes in federal court, and at the time of the Bundy trial, the dismissal of his case was being appealed by the government.

5. In that capacity I had the opportunity to discuss with him legal matters as well as motions being filed for Mr. Bundy. It was my impression that Mr. Koerber was extremely intelligent and very capable of marshaling an effective legal argument. I have no doubt that he was providing real and legitimate assistance to Marcus Mumford based on the work product that I saw and the discussions that I had with Mr. Koerber. His contributions to the successful defense of that case were significant and real.
6. I cannot speak to Mr. Koerber's character in the context of his business dealings. We are not friends outside of the crucible of the extraordinary shared experience that was the Bundy trial. However, based on that time together during the Bundy trial, I was extremely impressed by Mr. Koerber's dedication to his client and to his former attorney, Mr. Mumford. During the few months we worked together, it was apparent to me that Mr. Koerber was very serious about what he was doing as a legal assistant. I told him at the time that if he ever decided to become an attorney despite his criminal history, I would fly out to Utah to

recommend him positively to the State Bar because it was that clear to me that he could be an excellent criminal defense attorney.

7. In my capacity as an attorney in private practice and as part of the CJA, I have represented more than 200 people charged with federal crimes. Many of them have been successfully supervised in the community. Without a single exception those individuals have turned themselves in to institutions when ordered. I am familiar with the legal standards and the practical considerations that apply to release in federal court. Mr. Koerber would seem to fit well within the parameters of individuals released in federal court. Given his substantial ties to the community and profound commitment to his family it seems to me extraordinarily unlikely that he would ever flee. With supervision from pretrial services over the financial aspects of his life, I cannot imagine Mr. Koerber representing a risk to the community.

Respectfully submitted under penalty of perjury on June 19, 2019.

s/Matthew Schindler
Matthew A. Schindler, OSB#964190
Attorney

DECLARATION OF MARK L. EISENHUT

I, Mark L. Eisenhut, hereby declare as follows:

1. I am an attorney admitted to practice before all the courts of the State of California and a shareholder with the law firm of Call & Jensen, a professional corporation. I make this declaration based on my own personal knowledge, and if called upon to testify, I could and would competently testify thereto.

2. I have been practicing since 1996. After serving as a law clerk to a federal judge for my first year out of law school, I have been with the same firm ever since, which is currently known as Call & Jensen (formerly Call, Clayton & Jensen).

3. I have known Mr. Koerber personally since early this year.

4. I came to know Mr. Koerber through a case I have been working on, where I represent a Utah-based client embroiled in an intense litigation with various Hollywood studios. The case is venued in the Central District of California.

5. Before I was engaged to serve as trial counsel for the client, the client retained the services of Morgan Philpot to assist as its in-house counsel. Thus, I was introduced to the client, and eventually was directed that Mr. Philpot would serve as general, in-house counsel for the client.

6. Rick Koerber was serving as an assistant to Mr. Philpot.

7. I worked closely and directly with Mr. Koerber the entire time until he was placed in custody.

8. Mr. Koerber was an important and integral part of our trial team. He was extremely helpful and insightful with strategic discussions and decisions. He assisted with gathering legal research, including finding legal authorities from often seemingly remote venues, which directly spoke to various legal points in dispute in the case. He assisted with legal briefing, often taking charge of preparing initial drafts for attorneys to then review, edit, and finalize. He provided a second (or third, or fourth) set of eyes when we reviewed evidence received from the other side, or reviewed our own evidence for production to the other side or for use at trial. He participated and contributed

1 valuable ideas and insights as we discussed trial themes, rehearsed opening statements,
2 and discussed strategies for trial presentation.

3 9. Mr. Koerber was a valued and vital part of our legal team, and was sorely
4 missed after he became unavailable to us.

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6 I declare under penalty of perjury under the laws of the State of California that
7 the foregoing is true and correct. Executed this 21st day of June 2019, at Newport
8 Beach, California.

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Lisa J. Ludwig, OSB #953387
Attorney at Law
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DECLARATION OF LISA J. LUDWIG

I, Lisa J. Ludwig, am an attorney licensed to practice in the State of Oregon;

- 1) In April 2016 I was appointed as stand-by counsel to Ryan Bundy in 3:16-cr-00051, a criminal prosecution for various offenses related to the occupation of a federal Wildlife Preserve in late 2015;
- 2) Mr. Bundy represented himself, but sought the assistance of Rick Koerber as a paralegal on the case;
- 3) The Honorable Anna J. Brown pre-approved funding for Mr. Koerber's work on Mr. Bundy's case;
- 4) Mr. Koerber supplied letters of reference from three attorneys he previously worked for, attached here;
- 5) Mr. Koerber was deeply involved in the Bundy case litigation. I observed him offering assistance before and during the trial to Ryan Bundy and also to Ammon Bundy and his attorneys;
- 6) I observed the results of Mr. Koerber's research and in my opinion his work, for a non-lawyer, was creative, voluminous and thorough;
- 7) In my opinion, Mr. Koerber was, during the time we were in contact, committed to the process of court proceedings;
- 8) In my opinion, Mr. Koerber rendered valuable assistance to the Bundy defense.

RESPECTFULLY SUBMITTED this 24th day of June 2019.

/s/ Lisa J. Ludwig

Lisa J. Ludwig, OSB #953387

DECLARATION OF JOSHUA S. OSTLER

I, Joshua S. Ostler, do hereby declare as follows:

1. I am an attorney duly licensed to practice law in the State of Utah, and have been since October 2012.

2. I have known Claud R. Koerber (“Mr. Koerber”) since 2012, when I first began working as a law clerk for the Mumford Rawson law firm, which represented Mr. Koerber, as well as several individuals and companies referred to the firm by Mr. Koerber.

3. I continued to represent Mr. Koerber and others associated with Mr. Koerber until approximately November 2017, when I joined my current law firm, Nelson Jones, PLLC.

4. From 2012 to 2017, I worked extensively with Mr. Koerber on several projects and received valuable research, writing, and analysis from Mr. Koerber on several occasions.

5. For example, in the case of *Barlow v. GMAC Mortgage, LLC*, Case No. 110407388 (3d Dist. Utah), Mumford Rawson was retained in order to pursue a motion for reconsideration on behalf of an acquaintance of Mr. Koerber. I was tasked with the initial draft of the motion to reconsider. In drafting the motion, I consulted extensively with Mr. Koerber who provided me with (1) research on rule 54(b) and rule 60(b) standards; (2) analysis of cases cited by the opposing side, (3) research on summary judgment standards, and (4) suggested revisions to my writing and analysis. Much of Mr. Koerber’s research and suggested revisions were incorporated into the motion papers that were filed with the Court.

6. In the cases of *Dutcher v. Matheson*, Case No. 2:11-cv-00666-TS (D. Utah), *Dutcher v. Matheson*, Case No. 12-4150 (10th Cir.), and *Dutcher v. Matheson*, Case No. 14-4085 (10th Cir.), Mumford Rawson, and later Mumford PC, were retained by an acquaintance of Mr. Koerber’s. In drafting several motions and briefs, and in conducting extensive research, I recall

consulting several times with Mr. Koerber, who provided me with input and analysis that was valuable and beneficial, and which was often incorporated into the projects with which I was tasked.

7. In the case of *United States v. Bundy*, Case No. 3:16-cr-00051-BR (D. Ore.), Mumford PC substituted as counsel for Ammon Bundy, who was an acquaintance of Mr. Koerber's. I did not attend the trial in Oregon, but I personally observed that with respect to several briefing and research projects, Mr. Koerber was often consulted and Mr. Koerber provided valuable input and analysis. I know that Mr. Koerber attended the entirety of the near two-month trial. I understand that, in addition to the briefing and research assignments with which I was personally involved, Mr. Koerber assisted the defense team throughout the trial.

8. In the case of *United States v. Joseph*, Case No. 2:15-cr-00103-JNP (D. Utah), Mumford PC was retained to handle sentencing, an appeal, and a motion for post-conviction relief on behalf of an acquaintance of Mr. Koerber's. I had primary responsibility for each of the above-mentioned tasks, and in carrying out these tasks, I consulted with Mr. Koerber on numerous occasions. Mr. Koerber provided valuable feedback and analysis, especially with respect to the legal issues that should be raised at sentencing, on appeal, and in furtherance of post-conviction relief.

9. I believe I consulted with Mr. Koerber in relation to several other cases and/or legal issues, but due to the passage of time and the fact that I have changed law firms and email addresses, I cannot recall any specific instances other than those detailed above.

10. In addition to the foregoing instances in which Mr. Koerber was simply a consultant for others, I personally observed countless hours of legal work performed by Mr. Koerber in his own behalf.

11. This legal work included, among other things, (1) detailed research of complex legal issues, (2) substantial briefing in motion papers and appellate briefs, (3) hours of discussions related to legal issues and legal strategy, and (4) hours of document review and witness and exhibit preparation.

12. Based on my experience as a lawyer, I believe that Mr. Koerber's work product and analysis in these instances was impressive and valuable. For example, due largely to Mr. Koerber's research and writing, which were incorporated into a substantial Speedy Trial Act motion, Mr. Koerber's criminal case was initially dismissed *with prejudice*, and in the ensuing appeal, the Tenth Circuit Court of Appeals largely agreed with the analysis first articulated by Mr. Koerber, and adopted by Judge Waddoups.

13. In the several years that I have known Mr. Koerber and worked with him and for him, I have personally observed his good character and integrity as he has endeavored to advocate for his own rights and the rights of his friends and acquaintances.

14. I have also observed that Mr. Koerber's friends and acquaintances, who I have represented in the above-named cases, continue to trust Mr. Koerber and his advice, notwithstanding the criminal charges against him. This has given me the further impression that Mr. Koerber possess good character and integrity.

15. I understand that Mr. Koerber is currently in prison while he awaits sentencing. I am not familiar with the reasons his bail was revoked, other than what was reported in a KSL news article.

16. However, based on my personal observations of Mr. Koerber in hearings and in his first trial, as well as my observations of Mr. Koerber outside of court, it is my impression that Mr. Koerber has always been respectful of the Court and its decisions and procedures, and that

Mr. Koerber does not pose a flight risk or danger to the community. To the contrary, based on my experiences with Mr. Koerber, I believe he would provide a benefit by continuing to assist his lawyers, and likely providing valuable consulting services similar to those described above.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATE: June 20, 2019.

/s/ Joshua S. Ostler

Joshua S. Ostler